

PTO/SB/21 (07-06)

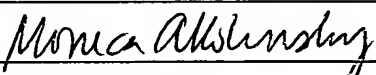
Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	10/551,878
		Filing Date	September 30, 2005
		First Named Inventor	Herwig Ponstingl
		Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	10	Attorney Docket Number	2000321.00120US1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Notification of Missing Requirements	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration (2 pages); Copy of Notification of Missing Requirements (2 pages); Return Receipt Postcard
<div style="border: 1px solid black; padding: 5px; min-height: 100px;"> <div style="border: 1px solid black; padding: 2px; display: inline-block; width: 150px;">Remarks</div> </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	WILMER CUTLER PICKERING HALE AND DORR LLP		
Signature			
Printed name	Monica A. Kolinsky		
Date	November 14, 2006	Reg. No.	58,336

Express Mail Label No. EV 901253399 US Dated: November 14, 2006

Application No. (if known): 10/551,878

Attorney Docket No.: 2000321.00120US1

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EV 901253399 US in an envelope addressed to:

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on November 14, 2006
Date


Signature

Monica A. Kolinsky

Typed or printed name of person signing Certificate

58,336
Registration Number, if applicable

(212) 230-8800
Telephone Number

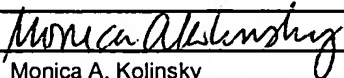
Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Form (1 page)
Two- Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)
Fee Transmittal (1 page)
Response to Notification of Missing Requirements Under 35 U.S.C.
§ 371 In The United States Designated/Elected Office (1 page)
(with copy of Notification of Missing Requirements (2 pages))
Declaration (2 pages)
Charge \$290.00 to deposit account 08-0219
Return Receipt Postcard

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">For FY 2005</h3>		Complete if Known	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/551,878
		Filing Date	September 30, 2005
		First Named Inventor	Herwig Ponstingl
		Examiner Name	Not Yet Assigned
		Art Unit	Not Yet Assigned
TOTAL AMOUNT OF PAYMENT		(\$)	65.00
		Attorney Docket No.	2000321.00120US1

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>08-0219</u> Deposit Account Name: <u>Wilmer Cutler Pickering Hale and Dorr LLP</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		<u>Small Entity</u>		<u>Small Entity</u>		<u>Small Entity</u>	
<u>Application Type</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
<u>Fee Description</u>						<u>Small Entity</u>	
						<u>Fee (\$)</u>	<u>Fee (\$)</u>
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>			
				<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>		
$\text{HP} = \text{highest number of total claims paid for, if greater than 20.}$							
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>				
$\text{HP} = \text{highest number of independent claims paid for, if greater than 3.}$							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>			
$\text{HP} - 100 = \text{ } / 50 \text{ (round up to a whole number)} \times \text{ } = \text{ }$							
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)							<u>Fees Paid (\$)</u>
Other (e.g., late filing surcharge): 2051 Surcharge-Late oath or declaration							65.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	58,336
Name (Print/Type)	Monica A. Kolinsky	Telephone	(212) 230-8800
		Date	November 14, 2006

Express Mail Label No. EV 901253399 US Dated: November 14, 2006
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**Docket No.: 2000321.00120US1
(PATENT)**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Herwig Ponstingl et al.

U.S. Application No.: 10/551,878

Confirmation No.: 3941

Filing Date: September 30, 2005

Art Unit: Not Yet Assigned

International Application No.: PCT/EP04/03538

International Filing Date: April 2, 2004

Examiner: Not Yet Assigned

For: DROP1, A NOVEL MARKER FOR CARCINOGENESIS

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. § 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification Of Missing Requirements Under 35 U.S.C. § 371 In The United States Designated/Elected Office mailed July 28, 2006 (a copy of which is attached hereto), respectfully submitted herewith are a Declaration, a Petition for Extension of Time, and a Fee Transmittal.

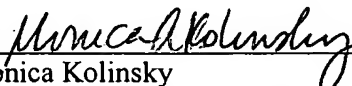
Please charge our Deposit Account No. 08-0219 in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(f). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 08-0219, under Order No. 2000321.00120US1. A duplicate copy of this paper is enclosed.

Dated: November 14, 2006

Respectfully submitted,

11/17/2006 LLANDGRA 00000035 080219 10551878

01 FC:2617 65.00 DA

By 
Monica Kolinsky

Registration No.: 58,336
WILMER CUTLER PICKERING-HALE AND
DORR LLP
399 Park Avenue
New York, New York 10022
(212) 230-8800



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,878	Herwig Ponstingl	2000321.120 US1

INTERNATIONAL APPLICATION NO.	
PCT/EP04/03538	
IA. FILING DATE	PRIORITY DATE

28089
 WILMER CUTLER PICKERING HALE AND DORR LLP
 399 PARK AVENUE
 NEW YORK, NY 10022

CONFIRMATION NO. 3941

371 FORMALITIES LETTER



OC000000019795238

Date Mailed: 07/28/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/30/2005
- Copy of the International Search Report filed on 09/30/2005
- Copy of IPE Report filed on 09/30/2005
- Preliminary Amendments filed on 09/30/2005
- Biochemical Sequence Diskette filed on 09/30/2005
- Biochemical Sequence Listing filed on 09/30/2005
- Small Entity Statement filed on 09/30/2005
- U.S. Basic National Fees filed on 09/30/2005
- Priority Documents filed on 09/30/2005
- Specification filed on 09/30/2005
- Claims filed on 09/30/2005
- Abstracts filed on 09/30/2005
- Drawings filed on 09/30/2005
- Paper nucleotide sequence listings filed on 09/30/2005

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AUG 3 2006

WCPHD

WILMER CUTLER PICKERING
 HALE AND DORR LLP DOCKETING
 RE: 2000321.120 US1
 Action Date: 9/28/06
 Action to be Taken: m. Requirements
 Docketed to: msm Date: 8/14/06

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/551,878	PCT/EP04/03538	2000321.120 US1

FORM PCT/DO/EO/905 (371 Formalities Notice)